

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CARLA GLESS, Individually and for Others)	CASE NO. 1:23-CV-00875-JPC
Similarly Situated,)	
)	JUDGE: J. PHILIP CALABRESE
Plaintiff,)	
)	
v.)	<u>DEFENDANT’S MOTION TO DISMISS</u>
)	
UNIVERSITY HOSPITALS HEALTH)	
SYSTEM, INC.,)	
)	
Defendant.)	

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendant University Hospitals Health System, Inc. (“University Hospitals”), by and through counsel, moves to dismiss Plaintiff Carla Gless’s (“Plaintiff”) Class and Collective Action Complaint. Specifically, University Hospitals moves to dismiss all of Plaintiff’s claims for failure to satisfy the pleading standard of Rule 8(a)(2). University Hospitals also moves to dismiss Plaintiff’s Count II and Count III under the Ohio Wage Act and the Ohio Prompt Pay Act, as they were improperly asserted as Rule 23 class actions.

The grounds for the Motion are set forth in the Brief in Support attached hereto.

Respectfully submitted,

/s/ Christine M. Snyder

Christine M. Snyder (0086788)

Melissa Z. Kelly (0077441)

Ariana E. Bernard (0100001)

TUCKER ELLIS LLP

950 Main Avenue—Suite 1100

Cleveland, OH 44113-7213

Telephone: 216.592.5000

Facsimile: 216.592.5009

Email: christine.snyder@tuckerellis.com

melissa.kelly@tuckerellis.com

ariana.bernard@tuckerellis.com

*Attorneys for Defendant University Hospitals
Health System, Inc.*

CERTIFICATE OF SERVICE

A copy of the foregoing was filed electronically on June 9, 2023. Service of this filing is made pursuant to Fed. R. Civ. P. 5(b)(2)(E) by operation of the Court's electronic filing system upon all counsel of record.

/s/ Christine M. Snyder

Christine M. Snyder (0086788)

One of the Attorneys for Defendant

University Hospitals Health System, Inc.